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Your Ref: DC/24/1286
Our Ref: 10556-jb

07 November 2024

For the attention of Jacques Burrowes
Horsham District Council
Parkside
Chart Way
Horsham
West Sussex
RH12 1RL

Dear Mr Burrowes,

Site: **Trenchmore Farm, Burnthouse Lane, Cowfold, West Sussex, RH13 8DG.**
Reference: **DC/24/1286**
Application: **Change of use of an existing log cabin from an ancillary agricultural use to a use as a permanent rural worker's dwelling for a farm worker.**

Thank you for your instruction dated 11 October 2024 requesting Reading Agricultural Consultants Ltd (RAC) comments on the above planning application.

In preparing this response I have had regard to the Supporting Statement and Agricultural Appraisal (dated August 2024) prepared by the applicant's agent, Bourne Rural Planning Consultancy Limited, and the associated plans and application form. RAC have also been provided with full financial accounts for the years 31 March 2021 to 2023 on a confidential basis.

RAC have previously visited the site in February 2020 for the appraisal of DC/19/2435 'Erection of a two storey agricultural workers dwelling and retention of existing log cabin'. RAC has previously provided the Council with comments on applications DC/20/1254 for the 'Erection of an agricultural storage building' (RAC ref 8871-od dated 31 July 2020); DC/18/1379 for the 'Erection of agricultural livestock building incorporating a muck midden' (RAC ref 8141-td dated 14 August 2018; and DC/13/1874 for the 'Retrospective application for temporary log cabin for farm manager' (RAC ref 6111/DW1 dated 5 December 2013). It is of note, that Ms Jill Scrivener (a former associate of RAC) appraised the 2013 application for the Council and has now produced the Supporting Agricultural Appraisal for this application, acting on behalf of the applicant.

Background

1. Trenchmore Farm extends to approximately 94.4 hectares (233 acres) of which the majority is in temporary grass leys, 16.2 hectares is in arable production, 6.1 hectares in woodland and there are 2 hectares of apple orchards which are used for the applicant's cider making enterprise. In addition, a further 84 hectares (207 acres) of permanent pasture is rented under various farm business tenancy agreements.

2. The applicant has continued to develop the Wagyu beef and Cider making enterprises with a further 1,000m^2 of buildings approved since the permission for the permanent workers dwelling and a further 825m^2 approved under DC/24/1078 for a covered feed passage and walkway.

3. The Agricultural Appraisal details that Mr Knowles lived in the main farmhouse until 2019 and the farm manager occupied the log cabin since he began working at Trenchmore Farm in 2019 and then relocated to a cottage which was previously part of Trenchmore Farm and occupied by the applicant's parents until their death. This cottage has now been transferred to the applicant's children and it understood that it is no longer available to the farm business.

4. In this time, the applicant also separated from his wife (who was his business partner) and as part of the separation agreement the main farmhouse was transferred to Mrs Knowles and was no longer available to the applicant or the farm business. Following the separation, Mr Knowles retained full ownership of the farming operation including the majority of the farmland, the buildings and worker's dwelling (approved under DC/19/2435).

5. The farm manager, Neville Mylie, will be moving into the farmhouse approved under DC/19/2435 and it is proposed that the applicant will relocate into the log cabin.

6. The Agricultural Appraisal details that the applicant farms a suckler cow herd of Sussex and Angus X Red Wagyu cows, breeding, rearing and finishing all animals. The herd is a closed herd and as such no new animals are introduced to the herd beyond those which are home bred, with only home bred heifers put to the 5 Red Wagyu bulls that the applicant owns.

7. The farming enterprise (Trenchmore LLP) employs a number of staff comprising the following:
    - Full time Farm Manager, Neville Mylie, currently living in log cabin;
    - Full time Cider Sales and Marketing Manager, Rachel Knowles, daughter of the applicant;
    - Full Time Farm Worker, Andrew Knowles, applicant, assisting with livestock and cider enterprises;
    - Two freelance stockpersons;
    - Part time Office Worker;
    - Two part time delivery drivers; and
    - Agricultural contractors and mobile mechanics.

8. The applicant has a herd of 150 suckler cows and maiden heifers with approximately 120 head finished in 2023. There are a total of 450 head of cattle on site at the time of the Agricultural Supporting Statement being written and the applicant intends to further increase to 200 finished cattle in 2025/26.

9. The farm uses a combination of Artificial Insemination (AI), natural service by bulls and embryo implant. The majority of cows are naturally serviced in the autumn by the Red Wagyu bulls with the progeny being reared for meat. AI is used in the spring months with progeny being produced as replacement breeding stock. Embryo Implantation is used to produce home reared pedigree Red Wagyu bulls and heifers for breeding.

10. The Cider Enterprise (Silly Moo Cider) has continued to develop and gain success and the first apples were harvested in 2015 with the first cider sales in 2016 producing 2,000 litres and increasing in 2024 to 100,000 litres.

11. Cider and Beef is available for sale through the farm shop on site and their own website (http://www.trenchmore.co.uk), or local stockists.

Proposal

12. This application proposes the change of use of the log cabin from ancillary agricultural and welfare use (as approved under DC/19/2435) to a permanent rural worker's dwelling.

13. It will provide an open plan living/kitchen area, farm office, boot room, W.C, two bedrooms and bathroom.

14. It will be occupied by the applicant, Mr Knowles, a full-time worker employed in the business, or a full-time stockperson employed by the business.

Relevant Planning Policies

15. National planning policy guidance for development in the countryside is set out in the National Planning Policy Framework (NPPF) updated in December 2023.

16. Paragraph 11 of the NPPF sets out the core land-use planning principles that should be adopted and these expressly include:

- A presumption in favour of sustainable development;
- Positively seek opportunities to meet the development needs of the area and be sufficiently flexible to adapt to rapid change;
- Provide for objectively assessed needs for housing and other uses;
- Approving development proposals that accord with an up-to-date development plan without delay; and,
- Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission.

17. Paragraph 38 requires that decision makers:

- should approach decisions on proposed development in a positive and creative way;

  work proactively with applicants to secure developments that will improve the economic; social and environmental conditions of the area;
- seek to approve applications for sustainable development where possible.

18. Paragraph 82 et seq deals with housing in the countryside and notes;

"In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs…

To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services…".

19. However, paragraph 84 maintains the presumption against isolated new dwellings in the countryside unless they are essential, noting:

"Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside…"

20. Section 6 of the NPPF is concerned with 'Building a strong, competitive economy' and at paragraph 85 it notes:

"planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt…"

21. At paragraph 88 'Supporting a prosperous rural economy' it notes:

"Planning policies and decisions should enable:

a) The sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;

b) The development and diversification of agricultural and other land-based businesses;…"

22. New Planning Practice Guidance titled 'Housing Needs of Different Groups' (July 2019) provides some guidance relevant to paragraph 80 of the NPPF in the section '*How can the need for isolated homes in the countryside for essential rural workers be assessed*'?

    These include:

    - *"Evidence of the necessity for a rural worker to live at or in close proximity to their place of work to ensure the effective operation of agricultural, forestry or similar land-based rural enterprise (for instance where farm animals or agricultural processes require on-site attendance 24 hours a day and where otherwise there would be a risk to human or animal health or from crime, or to deal quickly with emergencies that could cause serious loss of crops or products);*
    - *The degree to which there is confidence that the enterprise will remain viable for the foreseeable future;*
    - *Whether the provision of an additional dwelling on site is essential for the continued viability of a farming business through the farm succession process;*
    - *Whether the need could be met through improvements to existing accommodation on the site; providing such improvements are appropriate taking into account their scale, appearance and the local context; and*
    - *In the case of new enterprises whether it is appropriate to consider granting permission for a temporary dwelling for a trial period."*

    It further notes that: *"Employment on an assembly or food packing line, or the need to accommodate seasonal workers, will generally not be sufficient to justify building isolated rural dwellings"*

23. Policy 10 of the Horsham District Planning Framework looks at rural economic development and states:

    "Sustainable rural economic development and enterprise within the district will be encouraged in order to generate local employment opportunities and economic, social and environmental benefits for local communities.
    In the countryside, development which maintains the quality and character of the area, whilst sustaining its varied and productive social and economic activity will be supported in principle. Any development should be appropriate to the countryside location and must:

    1. *contribute to the diverse and sustainable farming enterprises within the district or, in the case of other countryside-based enterprises and activities, contribute to the wider rural economy and/or promote recreation in, and the enjoyment of the countryside; and either*
        a. *be contained wherever possible within suitably located buildings which are appropriate for conversion or, in the case of an established rural industrial estate, within the existing boundaries of the estate; or*
        b. *result in substantial environmental improvement and reduce the impact on the countryside particularly if there are exceptional cases where new or replacement buildings are involved. New buildings or development in the rural area will be acceptable provided that it supports sustainable economic growth towards balanced living and working communities and criteria a) has been considered first."*

24. Policy 20 considers rural workers' accommodation and states that:

    "Outside the defined built-up area new housing for rural workers will be supported provided that:

    1. *there is a functional need for the dwelling and the occupation of the dwelling is to support the established business use.*
    2. *evidence is submitted to demonstrate the viability of the rural business for which the housing is required."*

25. Policy 26 deals with countryside protection and enhancement and states that:

"Outside built-up area boundaries, the rural character and undeveloped nature of the countryside will be protected against inappropriate development. Any proposal must be essential to its countryside location, and in addition meet one of the following criteria:

1. *support the needs of agriculture or forestry;*
2. *enable the extraction of minerals or the disposal of waste;*
3. *provide for quiet informal recreational use; or,*
4. *enable the sustainable development of rural areas.*

In addition, proposals must be of a scale appropriate to its countryside character and location. Development will be considered acceptable where it does not lead, either individually or cumulatively, to a significant increase in the overall level of activity in the countryside, and protects, and/or conserves, and/or enhances, the key features and characteristics of the landscape character area in which it is located, including:

1. *the development pattern of the area, its historical and ecological qualities, tranquillity and sensitivity to change;*
2. *the pattern of woodlands, fields, hedgerows, trees, waterbodies and other features; and*
3. *the landform of the area."*

Appraisal

Essential Need

26. The primary test set out in the NPPF and Local Plan Policy 20 is an assessment as to whether it is essential for a rural worker to live at, or near, their place of work. In this case, the applicant considers it essential that there is a requirement to provide additional on-site residential accommodation for a full-time employed agricultural worker in order to ensure that the management and welfare of the livestock kept on site is not compromised. In this case, it will be the applicant moving into the existing log cabin or a full-time stockperson as the farm manager moves into the existing rural worker's dwelling

27. An assessment of the essential need for a rural worker to live at or near their place of work requires the following:

    - an evaluation of the risks involved;
    - the frequency and type of out-of-hours emergency that might arise;
    - the scale and loss that could be incurred should that emergency situation occur;
    - the potential for an on-site worker to identify the problem; and
    - the ability of that resident worker to rectify the problem.

28. Legislation requires that all animals are managed in a manner that accords them freedom from thirst, hunger and malnutrition; appropriate comfort and shelter; freedom from fear; freedom to display most normal patterns of behaviour, and it is accepted that without good stockmanship, animal welfare can never be adequately protected.

29. Under the Animal Welfare Act 2006 it is an offence to cause unnecessary suffering to any animal. The Act also contains a Duty of Care to animals which means anyone responsible for an animal must take reasonable steps to make sure the animal's needs and its welfare are met. The overall responsibility or 'duty of care' for animal welfare for all the livestock at the application lies with the applicant and/or his appointed deputy, the farm manager.

30. The issue of security is also now acknowledged by the Police and Insurers to be an increasing problem in rural areas and outlying isolated farms, especially where buildings, machinery and livestock are kept and are at risk of theft, fire, trespass and vandalism – and such risks can only adequately be managed with on-site supervision.

31. In the case of Trenchmore Farm the previously accepted essential needs for the livestock enterprise arise from:

    - the close supervision, management and daily requirements of the livestock;
    - the general welfare of the animals involved;
    - the close supervision of cows at calving;
    - care of the new-born calf;
    - the management of housed stock.

32. Using reference data for standard labour requirements for suckler cows, bulls and youngstock/store cattle as noted in the Agricultural Budgeting & Costing Book (98th Edition May 2024) and based on the farm's livestock numbers and the previous calving numbers the current labour requirement would be:

	Size	**SMD/animal**	**Total SMDs**
Suckler Cows	150	2.25	337.5
Wagyu Bulls	7	2	14
Wagyu Heifers	7	1.75	12.25
Young Bulls	8	2	16
Store Cattle	285	1.75	498.75
Sub Total			**878.5**
15% management & maintenance			131.77
Total			**1,010.27**
No of workers at 275 SMD/worker			**3.67**

33. Whilst these figures are considered only a guide, and having taken into account economies of scale, it is clear there is a continued essential need for at least one full-time worker to be resident on site at Trenchmore Farm in order for the enterprise to be managed efficiently and effectively and to meet the welfare requirements of all the livestock on the holding.

34. RAC considers there continues to be a justified essential need for two full time workers to reside on site. This essential need has been met by the applicant and farm manager residing on site in the main farmhouse and log cabin followed by the rural worker's dwelling and cottage. Following the applicant's separation and division of his parent's estate the main farmhouse and cottage are no longer available to the applicant's farm business.

Financial Appraisal

35. The NPPF deals with the concept of sustainable development at a strategic rather than an individual enterprise level. In terms of economic development, it is concerned with contributing to and building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation.

36. In this context RAC considers any assessment of economic sustainability as the ability of the business/enterprise to utilise its resources which allows it to function properly; it has to have the ability and necessary funds available to stay in business.

37. Local Plan Policy 20 requires evidence to demonstrate the viability of the rural business for which the housing is required.

38. In terms of demonstrating viability, any viable business should be generating profits sufficient to provide a return on investment – in agriculture a figure of 2.5% is usually cited; reward the owner for any unpaid labour – equivalent to the minimum wage; and provide for the build cost of the dwelling.

39. In the assessment of DC/19/2435 RAC considered that the applicant's farming business was sustainable and viable and likely to remain so in the future and was compliant with national and local plan policy.

40. Copies of the financial accounts for the years ending 31 March 2021 to 2023 for Trenchmore LLP were provided on a confidential basis. The accounts provide evidence that demonstrates the continuing viability of the existing rural business.

41. The log cabin has been on site since the 2013 approval (DC/13/1874) and therefore there are no additional build costs to be incurred.

42. RAC would note that wages and salaries have reduced over this three year period for the beef, cider and arable enterprises, however contracting costs for the beef enterprise has increased which could account for the farm manager and additional staff members employment at Trenchmore Farm.

43. Overall, RAC considers the applicant has demonstrated the farming enterprise is financially viable and that the net profit generated is able to support the essential need for an additional dwelling to accommodate a full-time worker and is sufficient to provide a return on the capital invested.

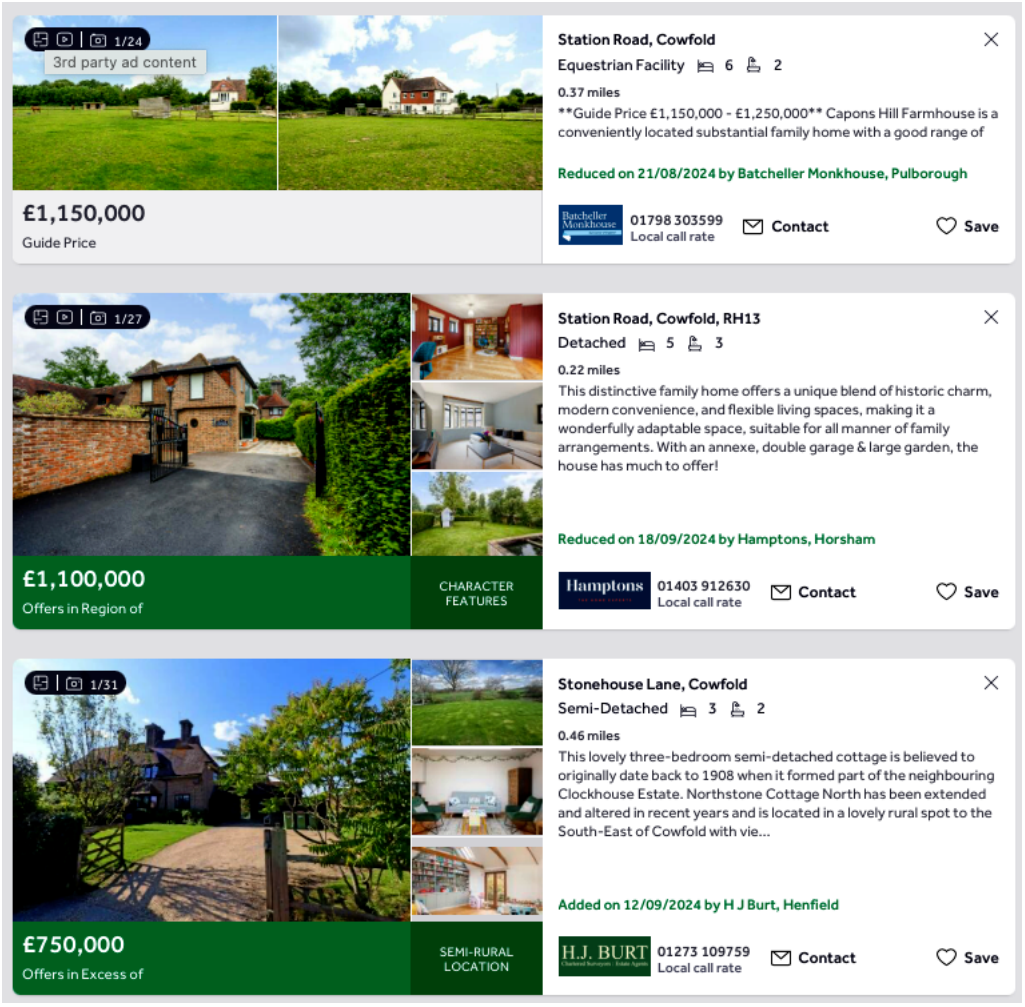
Other Dwellings

44. Trenchmore Farm comprises the rural worker dwelling permitted under DC/19/2435 and the log cabin subject to this application.

45. As detailed earlier in this appraisal, the main farmhouse is no longer available to the farm business following the applicant's separation from his wife, and the cottage has been transferred to the applicant's children following the death of his parents and is no longer available to the farm business.

46. The existing log cabin on the holding is sited in the farm yard and has been on site since 2013. It had been used as the primary living accommodation for the Farm Manager, Mr Neville Mylie, and met the essential needs of the livestock enterprise until the permanent dwelling was constructed. The log cabin was retained as part of DC/19/2435 to provide a staff welfare and training area along with the farm office. It is proposed that the log cabin will again be used for rural worker accommodation as part of this application.

47. A search of Rightmove shows there are three properties within ½ mile of the application site in Cowfold advertised with guide prices between £750,000 and £1.15 million. RAC consider these to be beyond the affordability of an agricultural worker and beyond sight and sound of the livestock on site.



48. RAC is not aware of any other dwellings in the locality that are suitable and available that would meet the established essential needs of the enterprise.

Conclusion

49. The applicant has awell-established livestock enterprise operating at Trenchmore Farm.

50. There is a justified and accepted essential need for at least one farm worker to be resident on site to ensure that the management and welfare of the livestock at Trenchmore Farm either housed or at grass is not compromised.

51. The applicant's proposal to change the use of the ancillary agricultural log cabin to provide accommodation for a full-time rural worker employed by Trenchmore LLP (the applicant or an employed stockperson) is considered compliant with national and local planning policy.

I trust these comments are helpful.

Yours sincerely,

Olivia Wojniak